

PRESENT: Marshall, Cordeiro, Parella, Barboza, and Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator (arrived at 7:15 o'clock PM)  
Michael A. Ursillo, Town Solicitor

The Council met in regular session on Wednesday Evening, September 29, 2010, in the Town Hall, Council Chambers, beginning at 7:07 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall observed that the Fire Department, in cooperation with the Police Department will hold a "Community Day" at the new Fire Department Headquarters on Annawamscutt Drive on Sunday, October 3, 2010. He added that the new building has already begun its service to the East Bay area as a whole in fulfillment of the Town's "cooperative pacts" with neighboring communities when it was utilized as the "command center" for the extraordinary springtime floods.

Fire Chief Martin reported that the "Community Day" will feature demonstrations of the burn trailer, the new aerial ladder truck, the Jaws of Life, and that the Police Department will be on hand to check car seats, fingerprint children and that the department will distribute educational toys and serve hot dogs, etc.

Council Chairman Marshall also announced an upcoming "Community Day" at Mount Hope Farm on Sunday, October 17, 2010 from 12:00 noon until 4:00 o'clock PM. He added that the Farm will host a variety of tours and other activities and that the event is free and open to the public.

Council Chairman Marshall also announced that the East Bay Energy Consortium, a group of nine (9) member communities with Bristol as the lead/fiscal agent, is examining the feasibility of a wind farm in Tiverton; this will be used to generate power for Tiverton's industrial park. He added that the Consortium's current project is to measure wind in the subject area.

Town Administrator Mederos arrived at this point in the meeting (7:15 o'clock PM).

Council Chairman Marshall noted that the East Bay wind project is second to the "deep water" wind project also

under consideration and that the Rhode Island Foundation is taking a role in this project due to its regional aspects.

Director of Community Development Williamson reported that the project will be discussed in a future presentation to the Council.

Town Administrator Mederos noted that the Town is the recipient of a CDBG grant of \$361,750 as announced by the Governor and that this figure compared well to that which was received by other communities.

Councilman Cordeiro reported that he was in attendance at a program at the Herreshoff Marine Museum where a single-hull sailboat developed by the Goetz organization was announced. He added that, if successful, this design will allow the Goetz company to reopen and hire fifty (50) new or displaced workers.

Councilman Herreshoff noted that the design is a "breakthrough" and made possible through the use of a certain lightweight carbon fiber material.

Councilman Barboza reported that Rhode Island Economic Development Director Keith Stokes was present this date at the Bristol Rotary Club and that Mr. Stokes' approach to his task as Director of this important agency was "refreshing."

Council Chairman Marshall announced that the Mount Hope Trust is accepting applications for new trustees and also that the Trust is beginning its search for a permanent Executive Director and that those persons interested should submit an application prior to October 29, 2010.

Councilwoman Parella noted that the voter registration deadline was approaching and encouraged all who were not yet registered to do so.

The Clerk added that the Board of Canvassers will be open for additional voter registration hours (from 1:00 until 4:00 o'clock PM) on the deadline date of October 2, 2010. He added that voter registration applications are available in the Town Hall, Rogers Free Library and on-line through the Town's and Secretary of State's websites. The Clerk also announced that the deadline for absentee ballots was also approaching and that those wishing to vote by absentee ballot must apply prior to October 12, 2010 at 4:00 o'clock PM.

Councilman Barboza announced that Town Administrator Mederos will be installed as the president of the League of Cities and Towns on Thursday, September 30, 2010.

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

Cordeiro/Herreshoff - Voted  
unanimously to approve the consent  
agenda withholding agenda items F2,  
R2, and R10.

Prior to the vote taken, Council Chairman Marshall suggested that agenda items R2 and R10 should be withheld for further discussion and the Clerk asked Council indulgence to withhold agenda item F2.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - August 12, 2010

Barboza/Cordeiro - Voted  
unanimously to approve these  
minutes as prepared and presented.

2. Town Council Meeting - September 15, 2010

Barboza/Cordeiro - Voted  
unanimously to approve these  
minutes as prepared and presented.

3. Town Council Special Meeting - September 22, 2010

Barboza/Cordeiro - Voted  
unanimously to approve these  
minutes as prepared and presented.

**(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions**

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Bristol Housing Authority - Annual Meeting, August 12, 2010
2. Bristol County Water Authority Public Relations/Personnel Committee - September 1, 2010

3. Bristol County Water Authority Engineering Committee - September 1, 2010
4. Bristol County Water Authority Audit Finance Committee - September 1, 2010
5. Bristol County Water Authority Board of Directors - August 11, 2010
6. Bristol Warren Regional School Committee - July 12, 2010
7. Planning Board - March 9, 2010
8. Planning Board - May 11, 2010
9. Planning Board - June 22, 2010
10. Conservation Commission - May 3, 2010
11. Conservation Commission - June 7, 2010
12. Conservation Commission - July 12, 2010
13. Substance Abuse Prevention Task Force - July 19, 2010
14. Redevelopment Agency - July 22, 2010
15. Animal Shelter Capital Project Committee - August 19, 2010
16. Animal Shelter Capital Project Committee - August 26, 2010

B. OLD BUSINESS

1. Council Clerk Cirillo re LNG Matching funds to Save the Bay

Cordeiro/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

After the vote taken, Councilman Barboza observed that the recently completed anti-LNG video prepared by Save Bristol Harbor was "excellent" and suggested that the Council should extend its congratulations to the group for its efforts.

2. Pamela Burns, 82 Washington Street - request for a handicap parking space across from residence (82 Washington Street), **2<sup>nd</sup> reading**

Barboza/Cordeiro - Voted unanimously to consider this action to constitute the Second Reading for adoption of the request for a handicap parking space. Inform the Public Works Department.

3. Dominic Raiola, 45 Shore Road re flooding from recent storm (spring 2010), **continued from September 15, 2010**

Barboza/Cordeiro - Voted unanimously to continue this matter until the meeting of October 20, 2010.

Prior to the vote taken, the Clerk reported that Mr. Raiola did not provide his files for copying until Friday, September 24 and that this was not completed until early this week. He noted that the files must be reviewed prior to his office's issuance of a meaningful letter to Governor Carcieri, etc.

Mr. Raiola thanked the Town for its attention to his difficulties and explained that he does not wish to bring suit concerning this matter. He added that Town Administrator Mederos was most helpful with Sen. Whitehouse's office concerning this matter.

4. Councilman Herreshoff re Animal Shelter project, **continued from September 15, 2010**
  - a. Councilman Herreshoff and Council Chairman Marshall re alternate site options for animal shelter
  - b. Animal Control Officer Gibree re response to Councilman Herreshoff's memorandum of September 15, 2010

Parella/Barboza - Voted unanimously to receive and place this matter on file and to reiterate the Council's position of support for the Capital Project Committee.

Prior to the vote taken, Jerry Landay of 25 Wendy Drive reminded the Council that the bond issue (Question 3) to build an animal shelter was approved by the voters in 2008.

Councilman Cordeiro expressed concern that Mr. Landay may be threatening the Council with retribution at the polls.

Mr. Landay added that the electorate voted 5597 to 4150 in favor of the bond issue and that the voters did not expect a "cheap and tawdry" project. He also added that Animal Control Officer Gibree recruited an "expert" to design the proposed shelter and that it was not his (Mr. Landay's) intention to threaten the Council.

Councilman Cordeiro stated that he agreed with Mr. Landay that the Town should not build an inferior facility.

Council Chairman Marshall reported that capital projects, in general, are not easy to complete and noted that the Library project was at times contentious with similar concern raised before the Council. He further added that the Council's goal is to investigate and evaluate certain options and that it is not the Council's goal to either "micromanage or derail" the project.

Council Chairman Marshall further stated that he was confident that this project will enjoy the same success of the other recent capital projects and that all involved and concerned should exercise patience and have trust in the Town Council and Capital Project Committee. He repeated that there is no effort afoot to derail the project and added that negative energies are counterproductive.

He added that he anticipates a spring ground-breaking and explained that it will be very likely that the facility will be completed in phases and that it will be necessary for the interested parties to participate in fundraising efforts in order to provide the capital needed for the subsequent phases.

Council Chairman Marshall explained that the Council's goal is to be fiscally responsible on behalf of the taxpayers in order to be assured that citizens will continue to be able to afford to live in Bristol. He added that the Family Circle Magazine acknowledged the Town as one of the best places for families to live in the United States and that he was determined to keep it that way.

Council Chairman Marshall stated that he was pleased to know that there was a good deal of public interest in the project

and that the Council continues to be receptive to positive public comment.

Councilman Herreshoff agreed with Council Chairman Marshall and further stated that he toured the new animal shelter recently completed in Providence. He suggested that this new facility was well constructed and encouraged the Capital Project Committee members and others to arrange for a tour of same. He added that the facility has equipment to exchange its internal air twenty (20) times per hour versus the twelve (12) times required by State standards. He added that the Capital Project Committee may discover some good ideas by visiting the Providence shelter.

Councilman Herreshoff added that the project is now in the "formulation stage" and that it would be helpful if citizens would be invited to add their ideas to the plan.

Council Chairman Marshall stated that the Town has "one vision" for the property and that the proposed site will include renewable energy options with the renewable energy technology "behind the meter."

Council Chairman Marshall added that the Council is considering alternate sites for the animal shelter as a "fall back strategy" since the proposed site has "issues" relating to wetlands and the absence of utilities. He explained that should these issues be determined to be insurmountable, the Council wishes to have a "plan B."

Council Chairman Marshall agreed that the Town is proactive in its plan to have the site evaluated and that it will make more advanced decisions based upon the engineering answers provided by the site evaluation.

Councilwoman Parella noted that it was clear from the beginning due to the availability of resources that the project could not have been built immediately after the passage of the bond issue. She further explained that there were several major capital projects under way at that time.

Councilwoman Parella added that the Council has faith in those appointed to serve on the Capital Project Committee and that the Council has already approved funding for the site evaluation.

Councilwoman Parella added that she has no problem with the Council considering "plan B" issues and encouraged the Capital Project Committee to recommend "plan B" issues as part of their charge.

Councilwoman Parella noted that the original architect of the proposed animal shelter appears to be an expert in the field of animal shelters and that the potential for retrofit of an existing building does not appear to be practicable.

Councilwoman Parella suggested that the Council should reassure the public of its commitment to see-through the project and suggested that the current matter should be "received and filed" and that the Council should depend upon the Capital Project Committee to provide a "plan B" recommendation, if any.

Councilman Cordeiro noted that the Library project was completed for a price that was under the bid price.

Councilwoman Parella suggested that the animal shelter should be put out to bid as soon as possible.

Councilman Barboza noted that some of these issues were raised and assumed resolved during the past workshop concerning the animal shelter and also that the Capital Project Committee is "in charge" of the project with a finite budget.

Council Chairman Marshall noted that the Committee is aware of the potential for problems with the chosen site and that the various parties "should keep their fingers crossed" for now.

Councilman Herreshoff agreed with Council Chairman Marshall that the proposed site has some advantages and also some disadvantages and that it is productive to continue with the site evaluation step at this time. He noted that everyone should be aware that if the site is costly to prepare and provide with utilities; less funds will be available for the building.

He further noted that the new Providence shelter was built upon "free" land which is nearby a suitable road and that the utilities were readily available thus having a "zero cost" to break ground. He added that the new Providence building cost \$1.4 million and that the city received a bequest of \$220,000.

He repeated that the Committee should endeavor to spend as little as possible for the site in order that there will be enough funds available to build the project.

Council Chairman Marshall added that the Providence shelter has a reputation for providing a good quality of care for the animals.

Animal Control Officer Gibree agreed with Council Chairman Marshall and noted also that the Providence shelter has an "excellent" reputation.

Council Chairman Marshall also observed that the Potter League on Aquidneck Island is a private, non-profit organization and that there are differences between that organization and shelters which are city or town operated.

Councilwoman Parella, with the other Council members in agreement, noted that the animals at the Bristol Shelter are afforded "terrific care" despite the shortcomings of the facility. She added that it was good to hear from veterinarians who commend the Shelter and its staff for its operation.

Animal Control Officer Gibree introduced Dr. Wade Gordi of Barrington who identified himself as a member of the State Board of Veterinary Medicine. Dr. Gordi informed the Council that the Animal Shelter staff deals with difficult situations on a daily basis and always does what is needed. He also added his opinion that the Shelter provides care above the National average.

5. Councilman Herreshoff re "Streetscape" concerning the Department of Transportation Hope Street Project, **continued from September 15, 2010**

**Late Item**

- a. Director of Community Development Williamson and Principal Planner Tanner re summary of Hope Street reconstruction project

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file with thanks to Director of Community Development Williamson, encouraging the Director to 'come forward' with further concerns including the installation of PVC piping for sump-pump drains.

Prior to the vote taken, Director of Community Development Williamson reported that she and Principal Planner Tanner

have been "steering" the project along with the state officials. She explained the contents of the "white paper" as provided.

Councilman Herreshoff stated that he would prefer if the Hope Street rehabilitation be of "top quality" versus "quantity."

Council Chairman Marshall expressed concern that the "historical components" such as WPA bronze plaques and granite curbing should be preserved.

Town Administrator Mederos agreed that the Town would watch these elements closely as the work progresses.

Council Chairman Marshall added that the Town was "passionate" about its street trees and that there should be an effort to inform the various neighbors and other interested parties regarding those trees scheduled for removal and/or replacement in order to avoid "sticker-shock."

Councilman Herreshoff questioned as to why many trees were scheduled for removal. He cautioned that it would not be advisable to replace "noble" trees with spindly new ones.

Councilman Barboza stated that it would be a "shame" to lose the linden tree that is adjacent to Leo's Ristorante on Hope Street.

Director of Community Development Williamson explained that some of the trees slated for removal and/or replacement are in poor condition with Council Chairman Marshall explaining that sometimes a good-looking tree may be rotting on it inside. Town Administrator Mederos added that the State may require that the Town should be responsible for any damage resulting from a tree found to be in poor condition should it remain contrary to the plan.

Councilman Herreshoff asked to know if the plan includes having the in-ground utilities upgraded with Director of Community Development Williamson reporting that there are upgrades currently in process in the subject area.

Council Chairman Marshall suggested that the Town may wish to add PVC pipes within the area sidewalks in order to accommodate future sump pump lines with Water Pollution Control Superintendent Calderiso responding that the areas needing these PVC pipes have been identified and that an "inventory" of these is available.

Council Chairman Marshall also suggested a "conversation" with National Grid regarding installation of underground sleeves to accommodate underground wiring in the future with Councilman Herreshoff agreeing that it would be advantageous to "get rid of ugly wiring."

Stan Dimock of 341 Thames Street noted that unhealthy trees often will not withstand the stresses of sidewalk and road replacement. He noted that it may be necessary to "bite the bullet" and replace unhealthy trees.

Director of Community Development Williamson noted that the State arborist has made recommendations regarding the tree health, etc., and that this is incorporated in the overall plan. She noted also that the "tree lawn" will be re-established in areas along the route.

Town Administrator Mederos noted that the plan eliminates certain parking spaces from Church to Constitution Street along the easterly side of Hope Street and that the idea to eliminate these parking spaces may not be "popular." She noted that the study is recommending a solution that has the best possible safety considerations and suggested that Council members might wish to "walk the route."

Council Chairman Marshall noted that he was concerned that safety might be compromised if traffic is allowed to move through the area more swiftly should the parking spaces be eliminated. He suggested that the area might be examined more closely to vet this aspect before the Town and State "pull the trigger."

Councilwoman Parella suggested that a possible compromise would consider eliminating parking from Byfield Street up to Constitution Street. She suggested that this portion of the street appears to be the narrowest although speculated that this apparent narrow portion of the street may be a "visual" effect.

Councilwoman Parella also suggested that some of the eliminated spaces might be supplemented with leased-spaces in the "Pick & Pay" parking lot.

Town Administrator Mederos agreed to investigate this possibility.

Councilman Cordeiro expressed concern that the loss of any parking spaces at all will be problematic and suggested that

the Town should investigate the possibility of acquiring new spaces nearby.

Councilwoman Parella reiterated her earlier concern that the parking spaces from Byfield to Church Streets should be maintained.

Councilman Cordeiro noted that the Town should not lose site of the needed repairs to Wood Street and Metacom Avenue.

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

D. ORDINANCES

1. Ordinance #2010-17, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times, (one space across from 38 Congregational Street), **2<sup>nd</sup> reading for adoption**

Barboza/Cordeiro - Voted  
unanimously to consider this action  
to constitute the Second Reading  
for adoption of Ordinance #2010-17.  
Advertise in local newspaper.

2. Ordinance #2010-18, CHAPTER 17, Offenses and Miscellaneous Provisions, Article I, In General, (new) Section 17-9.3, Underage possession and consumption of Alcohol, (to allow matters re underage drinking by adults to be adjudicated in Municipal Court), **2<sup>nd</sup> reading for adoption**

Barboza/Cordeiro - Voted  
unanimously to consider this action  
to constitute the Second Reading  
for adoption of Ordinance #2010-18.  
Advertise in local newspaper.

3. Ordinance #2010-19, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, Parking time limited in designated places, (one-hour parking spaces on Franklin and High Streets adjacent to 349 High Street), **1<sup>st</sup> reading**

Barboza/Parella - Voted to consider this action to constitute the First Reading of Ordinance #2010-19. Advertise in local newspaper. Voting in favor of this ordinance were Council members Marshall, Parella, Barboza, and Councilman Herreshoff. Councilman Cordeiro recused.

Prior to the vote taken, Councilman Cordeiro renewed his recusal concerning this matter.

**(CA) E. BUDGET ADJUSTMENTS**

**Approval of consent agenda="Motion to approve these adjustments."**

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for September, 2010

**(CA) F. APPOINTMENTS**

**Approval of consent agenda="Motion to approve advertising these Appointments."**

1. Public Service Appointments
  - a. Redevelopment Agency
    1. E. Keith Maloney, 60 Van Wickle Lane - resignation  
  
Barboza/Cordeiro - Voted unanimously to accept this resignation, thanking Mr. Maloney for his service and also to advertise the vacancy.
  - b. Mount Hope Trust - Board of Trustees
    1. Brian W. Clark, 7 Heritage Road - interest/appointment
    2. Anthony H. Rego, Jr., 1176 Hope Street - interest/appointment

**Late Item**

Barboza/Cordeiro - Voted  
unanimously to instruct the Clerk  
to set interviews for these  
individuals and also to continue  
advertising for potential  
candidates.

Prior to the vote taken, Councilwoman Parella asked to know when the Trust will be making its appointments with Town Administrator Mederos reporting that the Trust should conclude its search and make appointments before the end of October, 2010. She added that there were more persons interested in serving than positions available.

Councilwoman Parella added that the applicants should also be encouraged to apply to the Council and be considered as the Council's appointee.

**(CA)**            2.     Public Service Appointments for October

Cordeiro/Barboza - Voted  
unanimously to instruct the Clerk  
to advertise for any and all  
vacancies which may become known.

Prior to the vote taken, the Clerk asked the Council for permission to advertise for vacancies which may not be readily apparent at this time. He noted that the Council must fill the vacancy in the Waypoyset Trust due to the passing of Dr. William Sweeney and also that a resignation was known to be pending on at least one board.

The Council agreed that the Clerk should be allowed to advertise for any and all vacancies.

**(CA)**            3.     Economic Development Commission - Alternate Members

- a.     Council Clerk Cirillo re confirmed resignation of David Parker, First Alternate, Economic Development Commission and Second Alternate, Peter Ferreira elevated to the position of First Alternate

G.    LICENSING BOARD - NEW PETITIONS

- 1.     Alden Simons, d/b/a Li'l Ry's Consignments, 500 Metacom Avenue, Unit D - request for a

**Junk and Second Hand Dealer's License, call  
for a public hearing on October 20, 2010**

**Late Item**

- a. Recommendation - Town Administrator and  
Police Chief

Cordeiro/Barboza - Voted  
unanimously to call for a public  
hearing concerning this matter for  
October 20, 2010. Advertise in  
local newspaper.

2. Carolyn Aspinwall for East Bay Educational  
Collaborative, d/b/a The Sports Exchange, 22  
Gooding Avenue, Unit 2 - request for a Junk  
and Second Hand Dealer's License, **call for a  
public hearing on October 20, 2010**

**Late Item**

- a. Recommendation - Town Administrator and  
Police Chief

Cordeiro/Barboza - Voted  
unanimously to call for a public  
hearing concerning this matter for  
October 20, 2010. Advertise in  
local newspaper.

3. Katherine B. Conlon, d/b/a Kate & Company,  
301 Hope Street, et al - request for Hawkers  
& Peddlers Licenses (to allow downtown  
business owners, as noted on petition, to  
sell food/beverages outside storefronts on  
the night of the "Holiday Stroll")

**Late Item**

- a. Recommendation - Town Administrator and  
Police Chief

Barboza/Cordeiro - Voted  
unanimously to approve this  
petition based upon the  
recommendation received allowing  
Town Administrator Mederos and  
Police Chief Canario to approve the  
details of the event and also to  
waive any associated fees.

Prior to the vote taken, a representative of Ms. Conlon  
asked the Council if it would be permissible for the food

vendors to occupy parking spaces on the street; vending toward the sidewalk.

Council members questioned if the practice would create a danger for the vendors and pedestrians. After a discussion, it was agreed that vendors in trucks such as Del's Lemonade could park on the street and vend toward the sidewalk.

Councilwoman Parella asked if the street might be closed for this event with Police Chief Canario responding that this was difficult to do since it is a State highway with an established public bus route.

Town Administrator Mederos suggested that the matter might be referred to her and Police Chief Canario so that the promoters of the event could discuss the details with them.

Councilwoman Parella noted that the more northerly portion of the downtown district appears to be "dead" during the Holiday Stroll and suggested that the Library might be encouraged to hold an open house during the event to attract foot traffic to the area.

Diana Campbell, a member of the Regional School Committee noted that the Colt School fair will be held on the lawn during the Holiday Stroll versus holding the same event indoors as in the past.

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

**Approval of consent agenda="Motion to approve these petitions."**

(CA) 1. Road Cut Permits - DPW

(CA) 2. Sewer Permits - WPCF

3. National Grid and Verizon - request to install a new pole and anchors on Sunset Road

**Late Item** a. Recommendation - Town Administrator and Director of Public Works

Cordeiro/Parella - Voted unanimously to approve this petition based upon the recommendation received.

J. PETITIONS - OTHER

1. George Vezina, 193 State Street - request for a handicap parking space in vicinity of residence (193 State Street), **1<sup>st</sup> reading**

- a. Recommendation - Director of Public Works

**Late Item**

- b. Recommendation - Town Administrator and Police Chief

Cordeiro/Herreshoff - Voted unanimously to consider this action to constitute the First Reading of this petition for a handicap parking space. Continue this matter to October 20, 2010 for Second Reading for adoption.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Ellen Winsor, Founder, LNG WG - request for consideration concerning withdrawal of the Town's Hess stock holdings held in the Employees' Retirement System of Rhode Island

Barboza/Parella - Voted unanimously to refer this matter to the Town Treasurer.

Prior to the vote taken, Town Treasurer Goucher stated that it may be difficult to determine the investment proportions since these funds are often invested in mutual funds which hold many different stocks and other investments.

Town Treasurer Goucher also noted that the investments are the property of the employees and that it would also be difficult for the Council to make decisions on behalf of the Town employees. She agreed to make inquiries regarding this matter.

2. Derwent Riding, Principal Planner, RI Statewide Planning Program re 2010 legislation enacted extending the expiration dates of State and Municipal land development approvals/permits

Cordeiro/Barboza - Voted  
unanimously to receive and place  
this matter on file.

3. Council Clerk Cirillo re Town Code Supplement  
No. 29

Herreshoff/Barboza - Voted  
unanimously to authorize the Clerk  
to transfer \$900 from the "Council  
Contingency" account to the  
Council's "Code Supplements"  
account.

Prior to the vote taken, the Clerk reminded the Council that the "Code Supplement" budget line item is an estimate based upon past practice and is proportional to the number and complexity of ordinances adopted. Since the Council adopted a comprehensive amendment to the Zoning Code, the cost to codify same was exceptionally high. He further noted that there will likely be another costly amendment should the many amendments to the Charter gain voter approval.

Councilman Herreshoff suggested that the Council should transfer sufficient funds to cover the current code supplement and also to await further advice from the Clerk for the remainder of the fiscal year concerning code supplements.

4. Merritt Meyer, President, Mosaico Community Development Corporation re opportunity for public comment concerning submission of Brownfield Cleanup Grant application for the cleanup of three (3) proposed sites located within the former Bristol Industrial Park

Parella/Herreshoff - Voted  
unanimously to instruct the Clerk,  
in cooperation with the Town  
Administrator, to provide a letter  
of support indicating the Council's  
"wholehearted enthusiasm"  
concerning this matter.

Prior to the vote taken, Council Chairman Marshall noted that this application represents another positive step toward the revitalization of the industrial area at 500 Wood Street.

Mr. Meyer noted that the Environmental Protection Agency (EPA) is the source of this grant funding and that his agency was encouraged to apply. He noted that the grant must be submitted by October 15, 2010 and that this "public comment" opportunity was a requirement of the grant.

Mr. Meyer noted that the grant maximum is \$200,000 and that this must be supplemented by a "small match," further noting that the match requirement may be waived.

Mr. Meyer informed the Council that one criterion for the grant may be the applicant's title to the property and that he was "pushing" for a timely closing. He further explained that the clean-up, if necessary, may be done in phases and also that if Mosaico does not qualify during this round of grants it will certainly reapply in the future.

Antonio Teixeira of 21 Cottage Street informed the Council that he is aware of neighbors' concern in the area concerning the Industrial Park and that he supports the application.

Council Chairman Marshall noted that he was in agreement with Mr. Teixeira and that improvements to the Industrial Park would be beneficial to the surrounding neighborhood.

Lindsay Green of 73 Union Street informed the Council that she was in favor of the application and that improvements to the Industrial Park were "a long time coming."

Councilwoman Parella suggested that the Council, in cooperation with Town Administrator Mederos, should provide a letter of support to Mosaico.

#### L. BILLS & EXPENDITURES

1. Bid #709 - Roof/Hose Tower Repair/Improvements, Ever Ready Fire Station

Barboza/Parella - Voted unanimously to authorize the Town Administrator and Fire Chief to go to the open market regarding this item and also to act in the best interest of the Town.

Prior to the vote taken, the Clerk reported that no bids were received for this item.

2. Bid #710 - Roadway Improvements, Thompson Avenue

Herreshoff/Cordeiro - Voted unanimously to refer this matter to the Town Administrator and the Public Works Director to act in the best interest of the Town.

Prior to the vote taken, the Clerk reported the receipt of the following bids:

William Anthony Excavat.	N. Kingstown, RI	\$208,910.02
Manuel R. Pavao, Cont'r	Rehoboth, MA	225,986.85
Aquidneck Constr.	Portsmouth, RI	198,000.00
JML Excavation, Inc.	Bristol, RI	208,000.00
Narragansett Imp. Co.	Providence, RI	266,215.00

3. Bid #711 - Sale of Surplus Vehicles/Equipment

Cordeiro/Parella - Voted unanimously to reject any and all bids and authorize the Town Administrator and the area department head to sell these items on the open market act in the best interest of the Town.

Prior to the vote taken, the Clerk noted one bid from Gregory Raposa of Bristol in the amount of \$100 for a Taurus automobile.

Council Chairman Marshall observed that most used cars will bring \$250+ for junk value.

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place this item on file."**

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, September 24, 2010

P. PROCLAMATIONS & CITATIONS

1. Commendation - Kevin Spencer, Eagle Scout Court of Honor

Barboza/Cordeiro - Voted  
unanimously to adopt this  
commendation as prepared and  
presented.

**(CA) R. DISTRIBUTIONS/COMMUNICATIONS** (to be received and  
filed by Council)

**Approval of consent agenda="Motion to receive and place  
these items on file."**

1. Coastal Resources Management Council - Semi-Monthly Meeting, September 14, 2010
2. Town Administrator Mederos to Pare Corporation of Lincoln, RI re award of RFP #699 - Planning Consultant Services, Inland Transport Route (Marine Trades)

Parella/Cordeiro - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Council Chairman Marshall explained for the benefit of the public that this grant was received in order to design a Marine Trades route; providing improved access for transporting marine products from manufacturing sites to the waterfront and vice-versa. He added that the plan will also consider possible evacuation routes in the event of an emergency.

3. Town Administrator Mederos to Cardi Corporation of Warwick, RI re award of Bid #702 and #703 - Road Resurfacing, Contract 1 and 2
4. Warrant - E. Keith Maloney, Economic Development Commission
5. Coastal Resources Management Council - Semi-Monthly Meeting, September 28, 2010
6. Berta Raposo for St. Elizabeth Church/Santo Cristo Committee, 577 Wood Street re Class F Retailer's Beverage License petition for a fundraising event on September 26, 2010 (approved September 23, 2010)

7. Town Administrator Mederos to MBP Masonry of Cumberland, RI re award of Bid #708 - Masonry Repair, Ever Ready Fire Station
8. Cheryl A. Fernstrom, CMC, Jamestown Town Clerk re resolution in opposition to Hess Weaver's Cove LNG "Offshore" Proposal
9. Coastal Resources Management Council - October 2010 Calendar (revised September 22, 2010)
10. Sandra Matrone Mack, Counsel for Bristol County Water Authority to Joseph DePasquale, (Warren Town Council) re response to inquiry concerning the Amended and Restated Pension Plan of the Bristol County Water Authority

Barboza/Cordeiro - Voted  
unanimously to receive and place  
this matter on file.

**(CA)** RR. DISTRIBUTIONS/NOTICE OF MEETINGS  
(office copy only)

**Approval of consent agenda="Motion to receive and place  
these items on file."**

1. Bristol County Water Authority - October 2010 Meetings
2. Bristol Warren Regional School District - Schedule of Meetings, Week of September 20, 2010
3. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - September 20, 2010
4. Recreation Board - September 23, 2010
5. Bristol Warren Regional School District - Schedule of Meetings, Week of September 27, 2010
6. Bristol Warren Regional School Committee - September 27, 2010

7. Bristol Warren Regional School Committee  
Personnel/Contract Negotiation Subcommittee -  
September 27, 2010
8. Bristol Warren Regional School Committee -  
September 27, 2010 (revised)

S. TOWN SOLICITOR

Town Solicitor Ursillo noted that there have been two (2) court hearings regarding the public right of way at Clipper Way and provided memoranda concerning same.

Town Solicitor Ursillo also explained that he will provide a memorandum explaining the State's authority concerning "hookah bars" and will provide same in time for the next meeting of the Council (October 20, 2010).

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

- a. Mike Davis - Council Chairman Marshall thanked Mr. Davis for taping this evening's meeting for cable television.
- b. Solar Array at Composting Building - Council Chairman Marshall noted that there would be a bid/proposal forthcoming regarding a potential solar energy system for use at the site.

Council Chairman Marshall added that the proposal will consider the possibility of several systems scenarios and may also add an "educational component" to involve students at Mt. Hope High School.

Councilman Herreshoff suggested that the plan should include a "big proposal" and the first phase should build only a modest "prototype" system.

Water Pollution Control Superintendent Calderiso added that the plan may include a partnership with another entity with Council Chairman Marshall adding that the project may include a lease-purchase option.

Councilman Herreshoff agreed to contact an acquaintance at Stevens Institute of Technology who is an expert in these matters.

Water Pollution Control Superintendent Calderiso observed that the plan anticipates a "payback" of \$1500 in energy savings. He added that the current cost of energy at the facility is \$5000 per month.

Councilwoman Parella suggested that the educational component may "link" the project as a job training site.

2. CORDEIRO

a. Ansonia Avenue - Councilman Cordeiro noted that Ansonia Avenue is in need of a "dead end" sign.

Town Administrator Mederos agreed to arrange to have a sign installed.

b. St. Elizabeth Carnival - Councilman Cordeiro thanked all of the various participants who volunteered to work at the recent Carnival held on the Common.

3. PARELLA

a. Public Safety Day/Community Day - Councilwoman Parella reminded those present of the aforementioned Community Day which will be held at the new Fire Department Headquarters.

b. Voter Registration Deadline - Councilwoman Parella again reminded those present of the upcoming voter registration deadline.

4. BARBOZA

a. Annawamscutt Boat Ramp Lighting - Councilman Barboza noted that the access road to the new boat launch ramp at the easterly end of Annawamscutt Drive is extremely dark at night. Town Administrator Mederos reported that lighting will be installed as part of the overall plan and agreed to check upon the status of this component.

b. FCTV Live - Councilman Barboza reported that any interruptions to the live broadcast of this meeting originate at the Full Channel TV studios in Warren and that the connection within the Council Chambers is working properly.

5. HERRESHOFF

a. Council Contact - Councilman Herreshoff suggested that citizens should contact Council members with any ideas and that the Council would be receptive concerning same.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Mount Hope Trust/Farm Poster - Town Administrator Mederos provided a copy of a poster inviting citizens to attend the Community Day at Mount Hope Farm to be held on October 17, 2010.

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**CITIZENS PUBLIC FORUM**

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There being no further business, upon a motion by Councilman Barboza seconded by Councilwoman Parella and voted unanimously, the Chairman declared this meeting to be adjourned at 9:50 o'clock PM.

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Louis P. Cirillo, CMC, Town Clerk